

Suggested Contents of a Personnel File

What should you keep in those personnel files? Here is the general rule of thumb: only keep information that can legally be the basis for an employment-related decision in the file. Employment decisions include hiring, firing, promotion, demotion, layoff, training opportunities, and all other actions taken regarding employees. Employment decisions may NOT be made on the basis of sex, race, national origin, color, religion, or veteran's status, so keep all equal employment opportunity records separate. Making decisions based on a person's disability status is illegal, so keep all medical information separate (there are privacy issues here as well). Garnishment orders cannot be used as a basis for employment decisions, so all paperwork having to do with garnishment must be kept separately. I-9 forms must be made available on demand to Department of Labor inspectors, and it is best to keep them in a separate place for convenience.

1. Original application form (signed).
2. Original resume.
3. Employment records (including W-4's).
4. Performance reviews (signed by supervisor and employee).
5. Time off request and attendance reports, though nothing of a medical nature.
6. Salary/wage information.
7. Payroll deduction authorizations, unless medical related.
8. Education and training records.
9. Letters of recommendation.
10. Disciplinary action memos (signed by supervisor & employee).
11. Non-compete and non-disclosure agreements (signed).
12. Employment contracts and offer letters (signed).
13. Code of conduct (signed).
14. Acknowledgment for receiving employee handbook and any changes.
15. Testing results for purpose of initial employment or promotion or transfer.
16. Safety records, though nothing on workers compensation.
17. Termination documentation including exit interviews.

Items that Should Not be Placed in a Personnel File

1. Medical information - drug test results, physical results, doctors' notes, etc.
2. Unsubstantiated comments or reports of any kind.
3. Personal references.
4. Credit reports.
5. Insurance claims, benefit applications and related information.
6. Security or investigative records.
7. Records of Accommodation relating to the Americans With Disabilities Act.
8. Records regarding Workers' Compensation.
9. Records regarding Family and Medical Leave.
10. Information regarding personal finances.
11. Immigration and Reform Act form I-9

Integrity HR's Certified HR Professionals can help ensure that you are in compliance with all state and federal employment laws. If you have any questions regarding what you should or shouldn't put in a personnel file or what you can and can't do regarding your employees, please contact Integrity HR at **502.753.0970**.